APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/839,309	04/23/2001	Fumiaki Ito	35.C15311	2780

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EXAMINER
OPSASNICK, MICHAEL N

ART UNIT	PAPER NUMBER
2626	

DATE MAILED: 11/01/2006

Please find below and/or attached an Office communication concerning this application or proceeding.

PTO-90C (Rev. 10/03)

	Application No.	Applicant(s)
Office Action Summary	09/839,309	ITO ET AL.
	Examiner	Art Unit	
	Michael N. Opsasnick	2626	

-- *The MAILING DATE of this communication appears on the cover sheet with the correspondence address* --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE <u>3</u> MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.
- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133).
  Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

1) ☒ Responsive to communication(s) filed on *18 October 2006*.

2a) ☐ This action is **FINAL**.   2b) ☒ This action is non-final.

3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

4) ☒ Claim(s) *1 and 3-15* is/are pending in the application.

     4a) Of the above claim(s) _____ is/are withdrawn from consideration.

5) ☐ Claim(s) _____ is/are allowed.

6) ☒ Claim(s) *1 and 3-15* is/are rejected.

7) ☐ Claim(s) _____ is/are objected to.

8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

9) ☐ The specification is objected to by the Examiner.

10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.

     Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).

     Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).

11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

12) ☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).

     a) ☒ All b) ☐ Some * c) ☐ None of:

         1. ☐ Certified copies of the priority documents have been received.

         2. ☐ Certified copies of the priority documents have been received in Application No. _____.

         3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

     * See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

1) ☒ Notice of References Cited (PTO-892)

2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)

3) ☐ Information Disclosure Statement(s) (PTO/SB/08)
     Paper No(s)/Mail Date _____.

4) ☐ Interview Summary (PTO-413)
     Paper No(s)/Mail Date. _____.

5) ☐ Notice of Informal Patent Application

6) ☐ Other: _____.

DETAILED ACTION

Continued Examination Under 37 CFR 1.114

1.   A request for continued examination under 37 CFR 1.114, including the fee set forth in

37 CFR 1.17(e), was filed in this application after final rejection. Since this application is

eligible for continued examination under 37 CFR 1.114, and the fee set forth in 37 CFR 1.17(e)

has been timely paid, the finality of the previous Office action has been withdrawn pursuant to

37 CFR 1.114. Applicant's submission filed on 10/18/2006 has been entered.

Claim Rejections - 35 USC § 103

2.   The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all

obviousness rejections set forth in this Office action:

> (a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in
> section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are
> such that the subject matter as a whole would have been obvious at the time the invention was made to a person
> having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negatived by the
> manner in which the invention was made.

3.   Claims 1,3-15 are rejected under 35 U.S.C. 103(a) as being unpatentable over Ladd et al

(6269336) in view of Chung et al (6115686) in further view of Lin (6381597).

As per claim 1, Ladd et al (6269336) teaches:

"a document processing apparatus comprising: document obtaining means for

obtaining a document written in a predetermined markup language from a designated

source rule identification information means" as the network access apparatus of the

system allows the user to access (i.e., view and/or hear) the information retrieved from

the information source (col. 3 liens 40-42). The information can be stored in a database

of the information source which can include text content, markup language document or

pages (col. 11 lines 42-45)

"rule selecting means for selecting a rule defining voice input/output contents

from a plurality of predetermined rules" as the parser unit receiving the information from

the network and parsing according to syntax rules (Col. 12 lines 18-20). The markup

language can include elements that describe the structure of a document or page, provide

pronunciation of words and phrases, and place markers in the text to control interactive

voice services. The markup language also provides elements that control phrasing,

emphasis, pitch, speaking rate, and other characteristics. (Col. 16, 12-16, and fig. 6; the

dialogue section of fig. 6 contains both input candidates and output contents, which may

also include instructions to fetch additional elements via SQL calls – col. 41 lines 45-50).

"document analyzing means for analyzing a designated range of the document

obtained by said document obtaining means based on the rule selected by sad rule

selecting means to fetch voice output contents, voice input candidates, and designation

information for designating a next processing object corresponding to each voice input

candidate" as the interpreter unit determines the net state or step based upon the structure

of the dialog and the input from the user. When the interpreter unit transitions to a new

dialog or page is then sent to the network fetcher (col. 13 lines 55-59);

"voice outputting means or voice outputting the voice output contents fetched by

said document analyzing means" as the TTS unit of the VRU server receives textual data

or information -- the TTS unit processes the textual data and converts the data to voice

data or information (col. 9 lines 3-10);

"voice recognizing means for voice recognizing the voice input by the user" as

the ASR unit of the VRU server provides speaker independent automatic speech

recognition of speech input or communication from the user (Col. 9 lines 27-30);

"controlling means for checking the result of recognition by said voice

recognizing means against the input candidates fetched by said document analyzing

means to control obtainment of a document by said document obtaining means or next

analysis by said document analyzing means based on designation information

corresponding to the input candidate matching the recognition result" as the interpreter

unit can transition from state to state (i.e., step to step) within a tree structure (i.e., a

dialog) of a markup language document or can transition to a new tree structure within

the same dialog or another dialog. The interpreter unit determines the next state or step

based upon the structure of the dialog and the input from the user. When the interpreter

unit transition to a new dialog or page, the address of the new dialog or page is then sent

to the network fetcher (col. 13 lines 52-59).

Ladd does note explicitly teach a rule selecting means for selecting a rule

corresponding to the "extracted rule identification information....stored in a memory....in

the obtained document. However, Chung et al (61156868) teaches an HTML parser

outputting HTS control rules to the HTS control parser wherein the HT control parser can

receive four different types of rules (intonation, audio data rule, enunciation rule, and

terminology translation rule (Figs. 1-5b, 22, 24; col. 6 liens 9-61). Therefore, it would

have been obvious to one of ordinary skill in the art at the time the invention was made to

incorporate into Ladd the rule selection means as taught by Chung et al (6115686)

because it would provide a system that can accommodate HTML documents with nested

HTML textual tags and enunciate symbols correctly depending on context.

As per claim 1, the combination of Ladd et al (6269336) in view of Chung et al

(6115686) does not explicitly discuss predetermined tags (and identification of such),

however, Lin (6381597) teaches the use of predetermined tags to be used in a comparison

against identified tags (col. 10 lines 23-30) and reverting back to an identifying step when

relevant information is lacking (col. 11 lines 44-57). Therefore, it would have been

obvious to one of ordinary skill in the art of document identifier to modify the

combination of Ladd et al (6269336) in view of Chung et al (6115686) with

predetermined identifier tags because it would advantageously discard unneeded

information during the identification process (col. 11 lines 50-57), which would

accelerate search time and perform database updating more often (Col. 2 lines 55-63).

As per claim 3, the combination of Ladd et al (6269336) in view of Chung et al

(6115686) in further view of Lin (6381597) teaches the markup language document

including tags (Ladd et al (6269336), col. 16 lines 29-31).

As per claim 4, the combination of Ladd et al (6269336) in view of Chung et al

(6115686) in further view of Lin (6381597) teaches selecting a predetermined rule if the

rule identification information cannot….in the obtained document (Chung et al

(6115686), parser 22, mapping table 41, parameters 42, and audio table 43);

As per claim 5, the combination of Ladd et al (6269336) in view of Chung et al

(6115686) in further view of Lin (6381597) teaches the network fetcher receives the

address of the new dialog or page (Ladd et al (6269336), col. 12 lines 10-14; col. 13 lines

55-59).

As per claim 6, the combination of Ladd et al (6269336) in view of Chung et al

(6115686) in further view of Lin (6381597) teaches the network fetcher retrieving

markup language documents (Ladd et al (6269336), col. 12 liens 10-14).

As per claim 7, the combination of Ladd et al (6269336) in view of Chung et al

(6115686) in further view of Lin (6381597) teaches the communication node allowing

the user to selecting a particular speech recognition model (Ladd et al (6269336) ,col. 6

lines 25-36; col. 24 lines 12-65).

As per claim 9, the combination of Ladd et al (6269336) in view of Chung et al

(6115686) in further view of Lin (6381597) teaches output to be presented to the user

(Ladd et al (6269336),Col. 18 lines 32-36) as well as user input (Ladd et al (6269336) ,

col. 18 lines 56-58);

As per claims 10,11, the combination of <u>Ladd et al (6269336)</u> in view of <u>Chung et al (6115686)</u> in further view of <u>Lin (6381597)</u>   teaches DIALOG encompassing PROMPT elements that define voice output contents and input elements that define input candidates (<u>Ladd et al (6269336)</u>, col. 16 line 63 – col. 17 line 15).

As per claim 12, the combination of <u>Ladd et al (6269336)</u> in view of <u>Chung et al (6115686)</u> in further view of <u>Lin (6381597)</u> teaches a high speed data link such as a T1 telephone line (<u>Ladd et al (6269336)</u>, col. 5 lines 39-42).

Claims 13-15 are method/computer readable medium claims that are similar in scope and content to the apparatus claims presented in claims 1,3-12 as noted above; therefore, claims 13-15 are rejected under similar rationale as presented above against apparatus claims 1,3-12.

Response to Arguments

4.   Applicant's arguments with respect to the claims have been considered but are moot in view of the new ground(s) of rejection. Examiner notes the introduction of the Lin reference to address the new claim limitations pertaining to predetermined tags.

5.   Any inquiry concerning this communication or earlier communications from the

examiner should be directed to Michael Opsasnick, telephone number (571)272-7623,

who is available Tuesday-Thursday, 9am-4pm.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's

supervisor, Mr. Richemond Dorvil, can be reached at (571)272-7602. The fax phone number for

the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent

Application Information Retrieval (PAIR) system. Status information for published applications

may be obtained from either Private PAIR or Public PAIR. Status information for unpublished

applications is available through Private PAIR only. For more information about the PAIR

system, see http://pair-direct.uspto.gov. Should you have questions on access to the Private PAIR

system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

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Michael N./Opsasnick
Examiner
Art Unit 2626